

THE ORANGEBURG NEWS, PUBLISHED WEEKLY

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SAMUEL DIBBLE, Editor.

VIRGIL C. DIBBLE, Associate Editor.

CHARLES H. HALL, Publisher.

READING MATTER ON EVERY PAGE.

Items.

The grasshoppers have stripped a hundred miles of country in Missouri, and are still hopping and hungry.

Memomonee, an Indian chief, 90 years old, who fought with Tecumseh and at the siege of Fort Mackinaw in 1811 is catching muskrats for a living at Windsor, C. W.

The present income from the Peabody bequest to promote education at the South, which it has been determined to devote principally to primary school education, is but \$60,000.

Ten years ago a man in Missouri bequeathed \$500 each to ten of his slaves, on condition that they should emigrate to Liberia or some country set apart for free persons. The slaves remained in Missouri, and the St. Louis County Court in that State has decided that it is "a place set apart for free persons of color," and the executor has been ordered to pay over the money.

The canker-worm is committing great ravages in the Massachusetts orchards. In the neighborhood of Boston, thousands of apple trees are blighted as if a fire had swept over them. Every leaf is destroyed, and the crop in many places is ruined. The farmers grieve over the loss of apples, to say nothing of cider—a beverage which is not prohibited under the Massachusetts license law.

A St. Petersburg correspondent says that the *Czar* took with him to Western Europe, gold snuffboxes, diamond brooches, bracelets, &c., to the value of 300,000 roubles, or somewhat more than \$225,000, besides 1500 orders, of which twelve are the St. Andrew. They were to be given away to persons who manifested courtesies to his Majesty, or who performed services that could not well be repaid with money.

During the recent visit of the President to Raleigh, a Northern gentleman who happened to be in the city asked a friend—a Southern man—why the people did not cheer more and louder. Our Southern friend replied that it was because the people did not know whether they had the right to cheer—Gen. Sickles had not issued an order giving them that right, and they feared to open their mouths too wide, lest the General should throw another order down their throats. We hope the explanation will be satisfactory to all concerned.

MINING NEWS.—We learn that rich silver mines have been discovered, near Wallhalla, in this district. Mr. Lewis Eaton has sold his mineral interest to Northern men. Mr. J. C. Cobb has disposed of his mineral interest, receiving stock in the mining company therefor. We further learn that this company will proceed at an early day, with the most improved appliances, for working their silver mines. (On Mr. J. O. Lewis' place, in the same section, we learn that gold has been found in unusual quantities.—*Koonce Courier*.)

HOW THE LIQUOR LAW WORKS.—A citizen, yesterday, for a member of whose family his physician had prescribed the use of Sherry wine, applied to Messrs. Gruber & Martin, King-street, to purchase a bottle, but they refused to sell less than a gallon, as it was against the order of General Sickles. A gallon of Sherry is an extravagance for a poor man, and it was only after much inconvenience and considerable delay that a bottle of wine was finally procured at the Mills House. It would seem to us that a patient should be able to procure any medicine, on the prescription of his physician.—*Charleston Mercury*.

At Rome, on the 29th ult., St. Peter's Church was most magnificently decorated with cloths of gold, silver tapestries, paintings and two hundred thousand yards of crimson silk. The building was lighted with many millions of wax candles. There were one hundred thousand people inside its walls, including the ex-King of Naples, the foreign Ministry, five hundred cardinals, archbishops and bishops, and many thousands of clergymen, priests, friars and monks. There were even nuns and soldiers from almost every country in the world present, and the assembled multitude made up a most brilliant congregation. The city illuminations, fireworks, races and general festivities in honor of the centenary anniversary will continue during a week.

The notes of the Vemango National Bank, Franklin county, Pa., and of all other broken national banks, if we may believe the *Jeffersonian*, are selling at a premium. This rather anomalous fact of the bills of broken national banks selling at a premium on the bills of solvent banks, puzzles the comprehension of the uninitiated not a little, and yet the explanation is very simple and easily understood. The limit to circulation to national banks under the national banking law, is three hundred millions of dollars. This limit was long since reached, and there are still national banks without any circulation, and many others with much less than they desire. In order to relieve itself of trouble as much as possible, the department has said to some of these banks desiring more cur-

rency, that to the extent that they will redeem the bills of broken banks will it issue new notes to the banks desiring circulation. This proposition has created quite a rivalry among this latter class of banks, and in some instances a premium as high as two per cent. is offered for the broken banknotes.—*Chas. News*.

The Indian Troubles—Attack on Fort Wallace—The Redskins Driven Off.

FORT WALLACE, Kansas, June 22.—This post was attacked yesterday by a body of about 400 Indians, the garrison consisting of forty men belonging to the Third Infantry and Seventh Cavalry, under command of Lieutenant Hale. Sergeant Dummel and privates Bacon of the Seventh Cavalry, and privates Woldroff and McNally of the Third Infantry, were killed. John Haney and George Gaffney of the Seventh Cavalry, and Joseph Winchouse and Patrick McCarty, of the Third Infantry, were mortally wounded. A number of horses and mules were also killed. The Indians lost twenty of their number, and after a hard fight were driven back. Another attack is imminent.

[Fort Wallace is located on Pond Creek, the south branch of the Smoky Hill river, and about one hundred miles northeast of the present terminus of the Union Pacific Railway, eastern division. It was called after General Wallace, and two years ago was known as "Pond Creek Station." There are accommodations for five hundred men, but, owing to the constant Indian depredations, the few troops that should be at the fort are scattered over the road between Fort Hays and Denver, trying to protect the overland stages from the attacks of the savages.]

THE ORANGEBURG NEWS.

SATURDAY, JULY 6, 1867.

While we reserve to ourselves the right of defining our own political position, by means of our editorial columns, we will be pleased to publish contributions from our fellow-citizens upon the grave questions which now agitate the public mind, whether their opinions coincide with ours or not. A district newspaper, we consider, should be an index of the various shades of popular sentiment in the section of country in which it circulates. Our columns are open, therefore, for any communications properly written, accompanied by a responsible name, not personal in their character, nor absolutely injurious in their tendency.

The Fourth of July.

General Orders, No. 48, promulgated from the Head Centre of Military District No. 2, commanded a general observance of Independence Day. A salute of thirteen guns at sunrise, a national salute at noon, the Federal flag hoisted over all public buildings,—these were to be the outward signs of that rejoicing, which was to gush spontaneous from the popular heart. We have even understood that the worthy Intendant of Orangeburg received from the Military Executive, instructions to fire a *feu de joie* at sunrise, and the aforesaid midday salute; and we presume similar orders were extended to all municipal authorities in the State. It seems to us that there is some inconsistency in the orders issued from District Headquarters. Some time since it was the law that no persons should carry deadly weapons of any description, under heavy penalties; and we imagine that this is still in force. Now, there arises a peremptory order to civil officers, having no troops under their control, to fire two salutes on the fourth of July. How did the Federal General expect law-abiding citizens to obey both his orders at the same time? Imagine our worthy town-fathers mustering a patriotic squad in compliance with Orders No. 48. Imagine them coming out like the old militia of days gone by, "resolved to do or die." Imagine our energetic Sheriff, who has been instructed to arrest all civilians with deadly weapons, insisting upon carrying out his orders, and stopping the fun. That would be a nice state of affairs; but it is just what may have reasonably occurred, had the military pronouncements been literally obeyed. But some allowance is to be made for our illustrious law-maker; for as Mr. Stanberry says, "his orders follow each other in such rapid succession as to be already assuming the proportions of a code;" and therefore it cannot be expected that he can recollect all his edicts.—that, however, is not his business, it is the duty of the people.

For, ourselves, we passed the Fourth of July in a quiet way. We reflected that another year's experience had been added to the experiment of free government in America. We felt that the history of that year had taught a lesson fatal to the pretensions of republicanism to perpetuity. The last twelve months have forcibly illustrated that no form of government can be permanent: since in that period we have, with a rapidity of transition unparalleled in history, suffered all the misrule of an oligarchy, tainted with the worst corruptions of aristocracy; and then passed under the sway of a military autocracy, as absolute as the most unlimited despotism; and are now about to suffer a combination of the two, in a form hardly reconcilable with the maxim, "That

all governments derive their just authority from consent of the governed." We were ruled as while under the dictation of Congress; then came the praetorship of the "General Commanding"; now we are about to enjoy Congress and the General too. Well, let us take it easy: we have one comfort amid it all, and that is, we can celebrate the Fourth of July, and, standing under the folds of the Star-spangled banner, we can proudly exclaim,—“We are American citizens.”

It was once the case, that Independence Day was a fit time to study the past history of our Republic. But that don't do now; for our forefathers hated Stamp Acts too cordially, and opposed too strenuously the doctrine of "taxation without representation." And besides poor old logics that they were, they were unwilling to endure large garrisons quartered among them without their consent, and actually had several fights with soldiers in the streets of good old puritan Boston, which in our days would be called riots. But enough of this; we must make some allowances for the mistakes of our ancestors. They had no such great lights as our politicians of '67; they were only the sturdy patriots of '76.

Since we cannot look to the past, whither shall we turn our gaze? To the future? Perhaps.

One of the Grand Sachems of the Union Republican Party in a "Little Difficulty."

The notorious C. C. BOWEN, who was the chief orator of a meeting of the Union Republican Party in Orangeburg about a month ago, who told the freedmen not to depend on the white people of the South for any rights or show of justice; but to hug to their bosoms such men as himself, who came among them to preach the pure gospel of their best friends, the Radicals,—this disinterested laborer in the political vineyard has been arrested under a charge of swindling some of his colored brethren. A gentleman, who happens to know something of the past history of Bowen, sends the following communication to the *Savannah Advertiser* of the 20th ult., about the fellow. Really, the Radical party is not very choice in the selection of its propagandists. Here is the Savannah letter:

MR. EDITOR:—Noticing in your paper a few days since a paragraph clipped from the *Charleston Mercury*, in regard to a speech made to the negroes in Summerville, S. C., in which C. C. Bowen informed his hearers that if they did not vote the Radical ticket they would be sent to the Penitentiary, I was more forcibly than ever reminded of the fact that the antecedents of all the white Radicals in the South most singularly coincide with each other.

I first made the acquaintance of this C. C. Bowen at the Marshall House in this city in 1862. We were then organizing a company under the act of the Confederate Congress, in regard to Partisan Rangers.

Bowen enlisted with us, and from associating with him during the following two years, in the same company, I learned that he was a Rhode Island man by birth, but had of late been settled in Southwestern Georgia, from which place he perambulated through the country as a professional fire dealer and gambler in general, and also that he had married one of the most notorious prostitutes in Macon. So much for his history previous to my meeting him.

Our company was finally mustered into service in the 21st Georgia Battalion of Cavalry, under the command of Major W. P. White. After doing some picket duty in the neighborhood of this city, we were ordered to report to General Beauregard at Charleston. While there, from the occurrences of vacancies, and the cool effrontery of Bowen, he managed to get elected Captain.

While holding that office, he made a good thing of it by taking in substitutes, and for a large portion of the money he would give them leave of absence; they of course never returning to the command, the supposition being that they had deserted. By these, and other little games, he managed to become the owner of nine horses, which were ridden in the command by men who were not able to own horses themselves.

From Charleston we were ordered to Waccamaw Neck, opposite Georgetown, S. C., to picket the Federal gunboats. While stationed there Bowen procured a furlough to come to Savannah, and while here, by some fraudulent means, procured money from the pay department. For this cause Major W. P. White preferred charges against him "for conduct unbecoming an officer and a gentleman." On these charges he was court-martialed in Georgetown, and, on conviction, dismissed the service. Immediately on the promulgation of the order of General Trippier, announcing his dismissal, Bowen left for Waccamaw.

A few nights after his departure, as I was scolding a dead shoot which had bitten me that day, I heard a report of a gun at Major White's quarters. The whole camp was in an uproar, and I among the rest went into Major W's quarters, where I found him lying wounded, shot through the knee, which wound he died in about three weeks, in the Georgetown hospital, murdered in cold blood.

The party upon whom suspicion fell was arrested. He proved to be a sergeant in our

company, and he acknowledged that he stood outside of the house and shot Major White through the knee-boarding. He showed us the hole where the ball entered the house; he showed us where he had thrown the murderous weapon after doing the dastardly deed; he showed us a blind made of brush, alongside the road leading to the landing, which C. C. Bowen had constructed, behind which to hide and shoot Major White as he should pass going to or returning from the landing, and he confessed that C. C. Bowen had promised him the best horse he owned if he would murder Major W.

Bowen was immediately arrested in Augusta, by telegraphic orders, and brought to Charleston and confined in the jail. Shortly after this we were called to Virginia, where until the surrender, more stirring scenes claimed my attention, and the man had almost escaped my memory until I saw his name in your paper as a Radical.

Comment on my humble part is unnecessary, and having extended this much longer than I expected, I will close by only saying that there are many individuals in Savannah who can vouch for all I say.

Yours truly,
VENTILATOR.

[From the Charleston Mercury.]

The Power of a Presidential Pardon.

DOES IT REMOVE DISFRANCHISEMENT FOR PAST ACTS?

The following reply was made by Henry S. Fitch, Esq., United States Attorney, to some citizens of Savannah who had asked his professional opinion on the point whether or not a citizen, pardoned by the President, for his participation in the rebellion, before the passage of these acts, can be legally included among the disfranchised:

SAVANNAH, GA., June 27, 1867.

F. L. GUE, Esq.:

Dear Sir—Your letter of yesterday's date has been received and duly considered.

The time was when your question could not have been asked without answering itself. The very condition of things, however, which now makes it important, also renders it difficult. I cannot give you an official opinion on the subject, for there is no official connection between the District Attorney and the Boards of Registration—though I have no hesitation in expressing a professional opinion in compliance with your request.

Previous to the passage of the act of March 2, 1867, providing for the establishment of "State governments in conformity with the Constitution of the United States in all respects," disfranchisement as a punishment for "participation in rebellion" was unknown to our statutes, State or national. It is only in a bill intended to confer universal suffrage (regardless of race, color or previous condition), that the principle of political proscription has been legislatively recognized.

This fact narrows the circle of our inquiry very much. That such disfranchisement was intended as a penalty, is too plain for debate; that it will be enforced as far as possible, it requires no prophecy to foresee.

The simple question therefore is, what is the practical effect of a pardon, received previous to the promulgation of this political disability?

The efficacy of a pardon has been recently discussed with great learning before the Supreme Court of the United States, and emphatically defined by that tribunal in the matter of A. H. Garland.

The Supreme Court says "This power of the President is not subject to the negative control of Congress, which cannot limit its effects. The benign prerogative of mercy cannot be adverted by legislative restriction. A pardon blots out the consequences of the offence and in the eye of the law the offender stands as guiltless as if he had not committed the offence." This language cannot be honestly misunderstood, and the logical conclusions to be drawn therefrom are apparent.

The man who has been pardoned for his participation in the rebellion cannot by any subsequent legislation be legally deprived by reason of said participation of any right or franchise he may have enjoyed previous to the commission of the offence. Upon the principle that what cannot be done directly, shall not be done indirectly—the Supreme Court have also decided, and that very recently, that what would be inadmissible by positive enactment, cannot be accomplished by the obliquity of test oaths. To cite authorities in support of this principle, would be a mere ostentatious display of pedantry.

Every objection that was urged and successfully urged before the court against the power to compel a pardoned Attorney by a retroactive oath to accuse himself or forfeit his office, applies with still greater force against the proposition that a "new man" shall forswear himself or be denied his most indelible right.

The words of a Presidential pardon are plain—Whereas, A or B, by taking part in the late rebellion against the Government of the United States, has made himself liable to heavy pains and penalties, &c. Now, therefore, be it known that I, Andrew Johnson, President of the United States, do hereby grant to the said A or B full pardon and amnesty for all offences by him committed, arising from participation, direct or implied, in said rebellion.

The acceptor of such a pardon, if an alien, is reinstated with all the privileges of an alien—if a citizen, then once more a citizen in its fullest legal sense.

The only remaining point, therefore, is whether the elective franchise is one of the

rights necessarily restored by a pardon and amnesty. In my opinion the question can only be answered affirmatively.

Under a republican form of government, no man, who has arrived at his majority, is a citizen without the right to vote. The elective franchise is the essence of his citizenship—without it, he is an exile in his own country. Webster defines a citizen "in the United States to be a person, native or naturalized, who has the privilege of exercising the elective franchise."

Bouvier defines the word citizen "one who, under the Constitution and laws of the United States, has a right to vote for representatives in Congress, and other public officers, and who is qualified to fill offices in the gift of the people."

The mere privilege of pleading a pardon in bar of legal proceedings is insignificant, compared with the citizen's right to participate in the affairs of the government, and if a full pardon and amnesty do not revive that right, they have received a much more limited interpretation than has been recorded in the books. I am therefore of opinion that every man otherwise entitled to vote, who was pardoned before the passage of the laws in question, is entitled to register and vote now. If not, where is the forgiveness implied in the word "pardon," and where the forgetfulness implied in the word "amnesty?"

This opinion is predicated, of course, upon the decisions of the Supreme Court of the United States, whose "judicial power" is said by the second section of article third of the Constitution of the United States "to extend to all cases in law and equity, arising under this Constitution or laws of the United States."

If to deprive a citizen of the highest prerogative granted him as an equivalent for his allegiance, involves no issue either in law or equity, of which the "judicial power of the United States" can take cognizance, but is a purely political issue to be determined at the hustings, then these decisions are not pertinent to your inquiry, and I am unaware of any other tribunal to which I can refer, except that one whose jurisdiction is predicated upon a "decent respect for the opinions of mankind."

Whether the Register, being a mere ministerial officer, can depart from the strict letter of the law without instructions or a judicial decision is doubtful; but certainly the Commanding General, clothed by the act itself with almost unlimited power, has, and doubtless will again, if the ends of justice so require. Certainly no one can complain who does not make an effort. Let every man who has been thus pardoned exhibit his papers and demand to be recorded. If refused, because he cannot take the oath prescribed, let him enter his protest for the consideration and revision of the General Commanding in accordance with the registration orders.

Next to a usurpation of power there is no higher grade in political crime than a timid abandonment of rights.

I remain very respectfully,

Your obedient servant,
HENRY S. FITCH,
United States Attorney.

Washington News.

JULY 2.—There is a quorum in both Houses. In the United States Senate thirty-four answered. Four Bills explanatory of reconstruction, were introduced. Mr. Wilson's provision that all officers held under the authority of the Rebel States Government be declared vacant thirty days after the passage of the Act. The Commanding General may then fill them by the continuance of those in office, or appointing others, or may order elections. The Board of Registration shall have power to refuse registration to those suspected of wishing to evade the requirements of the law; to examine applicants, take testimony within twenty days after the completion of registration, and may erase names wrongfully registered.

Frelinghuysen's authorizes Commanders to suspend or remove State officers, fill vacancies, and validates acts done heretofore in accordance with the above.

Edmund's is similar, except that the District Commanders' acts are subject to the approval of the General of the Armies.

Drake's consists of twelve sections. Sumner introduced some characteristic bills; and after appointing a committee to wait on the President, the Senate adjourned till Friday.

In the House 120 answered. The Speaker announced that the first business was to swear in new members. The Kentucky delegation approached the Speaker's stand, when Schenck rose to a point of order. He had in his possession the protest of Samuel McKee, against John Young Brown being admitted, and affidavits that he had resisted the rebellion, Eldridge said he had made similar protest against Stokes, when the Speaker decided the proceedings could not be interrupted; said he hoped the same ruling would prevail now as heretofore. The Speaker said, "Gentlemen must have mis-understood." The Clerk then produced the protests and affidavits. Logan presented a similar protest against Trimble. Benjamin presented one against Knott.

Mr. Logan offered the following: "Whereas, there is good reason to believe that in the election recently held in the State of Kentucky to the Fortieth Congress, the legal and loyal voters in the several districts of the said State have been overawed and prevented from a true expression of their will and choice at the polls by those who have sympathized with, or actually participated in, the late rebellion, and that such elections were carried by the votes of such disloyal and returned rebels; and whereas, it is alleged that several of the Representatives

elected from that State are disloyal, Therefore

Resolved, That the credentials of all the members elect from the State of Kentucky shall be referred to the Committee on Elections, to report at as early a day as practicable, and that, pending the report of the said committee, none of said members shall be allowed to take the oath of office and admitted to seats as such.

After a long debate, and excepting Adams, representative of the 7th District, from the action of the resolution, it was passed, thus killing eight Democratic votes.

A Committee of nine were appointed to consider what further legislation is necessary on reconstruction.

The House then adjourned to Friday.

Mexican News.

WASHINGTON, July 1.—An extract from a dispatch received at the Navy Department dated Vera Cruz, June 25, and signed "F. A. Roe, Commander," says: "Maximilian was shot on the 19th. I have begged for his corpse for the Austrian captain, but was refused. The City of Mexico fell June 20. Vera Cruz holds out. On account of the foreign legion, Diaz orders that there shall be no acceptance of a surrender."

SOUTHWEST PASS, LA., June 20.

To the Austrian Ambassador at Washington, D. C.:

I have just come in to telegraph you of the condemnation and execution of Maximilian. President Juarez refuses to deliver up his body.

M. THIIBUT,

Captain in Austrian Navy.

LATER.

NEW ORLEANS, July 2.—We have received the following particulars of Maximilian's execution:

"The trial of Maximilian, Mejia and Miramon ended on the 14th ultimo, and they were sentenced to be executed on the 16th ultimo. Juarez suspended the execution three days, and they were shot on the 19th ultimo, at 11 A. M. The colonels were sentenced to six years' imprisonment, the lieutenant-colonels to five years, and minor officers to two years. Brigadiers and exceptional officers will be tried by court martial.

"The City of Mexico surrendered to Diaz on the 21st ultimo, and Juarez sent him a complimentary note, with directions as to the disposition of prisoners, saying: 'Native prisoners you will transfer to your own command or set at liberty, according to the circumstances in which you find them. Foreign prisoners you will retain for further disposition by the government.'

"Among the archives taken upon the occupation of Queretaro were some documents relating to the last will of Maximilian, wherein, in case of his death, Teodosia Larrea, Jose Maria Lacunza, and Marquez, the assassin of Tenorio, are declared regents."

Escobedo writes from Queretaro: "I live, by the execution of these traitors, the order of the day. Everywhere I have imposed heavy contributions on the rich, confiscated their property and their all. Where I could not do it on account of my position, my delegates have strictly complied with my orders and I hope before closing my military career to see the blood of every foreigner spilt that resides in my country."

There is a report that Maximilian was shot in the face, and the Mexican generals in the back as traitors.

Musters-Rolls of the Confederate Army.

The New York *Tribune* publishes an abstract from documents which fell into the hands of the United States at the downfall of the Confederacy, of the returns of all the Confederate armies, from their organization in the summer of 1861 down to the spring of 1865. It appears from these documents that the number of Confederate troops at the east and the west was (throughout nearly equal, and that, with the exception of September, 1863, when Longstreet, with his corps, was sent from Virginia to Tennessee, no considerable body of soldiers was ever transferred from one army to the other. The greatest number on the Confederate muster-rolls at any one time was 550,000, and this was when overy male from 17 to 50 was enrolled in the army. The greatest number present for duty at any one time in the whole Confederacy, and that for only a brief period, was 300,000. There were not three periods of a month when they had 250,000. At only three periods did the army of Northern Virginia, under Lee, number 100,000 men fit for duty.

In October, 1861, when McClellan confronted Johnston at Manassas, the actual force of Johnston was less than 40,000, and in December, only 54,000. When, in April, 1862, McClellan landed on the Peninsula, Magruder had 15,000 men; and when McClellan assailed Yorktown the Confederates had on the whole Peninsula less than 50,000. When he reached the Chickahominy the Confederates had at Richmond but 47,000, increased at the close of May to about 60,000 effectives. On the 26th of June, when Lee began his movement against McClellan, the Confederates numbered a little more than 100,000 effective men. When, after the battle of Gettysburg, Meade reached the Rappahannock, Lee had 41,000 men. The Confederacy was at its highest point of military efficiency in the early summer of 1863, when the movement into Pennsylvania was commenced. Every able-bodied man, except those in the workshops and civil departments, was enrolled; seven out of ten were actually present, and six out of ten were "present for duty." When the Confederate army, in April, 1865, withdrew from Petersburg, it is supposed not to have numbered, all told, 35,000 men.